



Patrick J. Sheehan
Direct phone: 617.573.5118
Email: psheehan@whatleykallas.com

January 3, 2014

VIA ECF

The Honorable John Gleeson
United States District Court
For the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation,*
No. 1:05-MD-1720-(JC)(JO)**

Dear Judge Gleeson:

I write on behalf of Managed Care Advisory Group, Inc. (“MCAG”) pursuant to the Court’s Orders dated December 20, 2013 (Dkt. # 6137) and December 30, 2013 (Dkt. # 6147). As the Court will recall, MCAG is a third party claims filing service intending to file claims on behalf of contracted merchant clients in connection with the settlement reached in the above-referenced action. Pursuant to the Court’s December 30 Order, MCAG desires to be heard in writing herein and to be given an opportunity to be heard orally at the hearing to be held on January 10, 2014.

MCAG believes that it is in compliance with the Court’s December 20 Order and intends to remain so with respect to its communication with merchant class members. To this end, MCAG seeks direction from the Court with respect to certain types of communications which are more incidental to class members’ contracting decisions and which may be limited to an Internet “banner” or similar tool which simply directs class members to a website or a call center for more information about the settlement and the services offered by all parties connected with settlement claims administration. MCAG is of the opinion that, as such incidental communications simply direct merchants to more detailed information provided by MCAG in compliance with the Court’s December 20 Order and to other sites or services which provide more detailed information relative to contracting for services or for separately or independently filing claims in connection with the settlement, they are permitted by the December 20 Order. Nevertheless, MCAG would appreciate the Court’s guidance in this regard.

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Thank you for your time and consideration.

Respectfully submitted,

WHATLEY KALLAS, LLP

/s/ Patrick J. Sheehan
Patrick J. Sheehan

PJS/keg
cc: All Counsel via ECF